

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

PCT

INVITATION TO PAY ADDITIONAL FEES

(PCT Article 17(3)(a) and Rule 40.1)

To:
INTERBREW S.A.
Attn. Kerr, James W.
303 Richmond Street
London ON N6B 2H8
CANADA

Date of mailing (day/month/year)	14/04/2004
-------------------------------------	------------

Applicant's or agent's file reference 6.70.1071 PCT/IB.	
---	--

PAYMENT DUE	within 30 days days from the above date of mailing
--------------------	--

International application No. PCT/IB 03/05398	
---	--

International filing date (day/month/year)	26/11/2003
---	------------

Applicant INTERBREW S.A.	
------------------------------------	--

1. This International Searching Authority

- (i) considers that there are 3 (number of) inventions claimed in the international application covered by the claims indicated ~~below~~ on the extra sheet:

and it considers that the international application does not comply with the requirements of unity of invention (Rules 13.1, 13.2 and 13.3) for the reasons indicated ~~below~~ on the extra sheet:

- (ii) ☒ has carried out a partial international search (see Annex) ☐ will establish the international search report on those parts of the international application which relate to the invention first mentioned in claims Nos.:

see annex

- (iii) will establish the international search report on the other parts of the international application only if, and to the extent to which, additional fees are paid

2. The applicant is hereby invited, within the time limit indicated above, to pay the amount indicated below:

EUR 945,00	x	2	=	EUR 1.890,00
Fee per additional invention		number of additional inventions		total amount of additional fees

Or, _____ x _____ = _____

The applicant is informed that, according to Rule 40.2(c), the payment of any additional fee may be made under protest, i.e., a reasoned statement to the effect that the international application complies with the requirement of unity of invention or that the amount of the required additional fee is excessive.

3. ☐ Claim(s) Nos. _____ have been found to be unsearchable under Article 17(2)(b) because of defects under Article 17(2)(a) and therefore have not been included with any invention.

Name and mailing address of the International Searching Authority European Patent Office, P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016	
--	--

Authorized officer Irene Sardjoe	
--	--

APR 22 2004

BEST AVAILABLE COPY

**Annex to Form PCT/ISA/206
COMMUNICATION RELATING TO THE RESULTS
OF THE INTERNATIONAL SEARCH**

International Application No

PCT/IB 03/05398

1. The present communication is an Annex to the invitation to pay additional fees (Form PCT/ISA/206). It shows the results of the international search established on the parts of the international application which relate to the invention first mentioned in claims Nos. 1-6
2. This communication is not the international search report which will be established according to Article 18 and Rule 43.
3. If the applicant does not pay any additional search fees, the information appearing in this communication will be considered as the result of the international search and will be included as such in the international search report.
4. If the applicant pays additional fees, the international search report will contain both the information appearing in this communication and the results of the international search on other parts of the international application for which such fees will have been paid.

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	DE 44 01 719 A (LEER KONINKLIJKE EMBALLAGE) 28 July 1994 (1994-07-28) the whole document	1-6
X	GB 2 146 611 A (CITY INVESTING INT) 24 April 1985 (1985-04-24) the whole document	1-6
X	EP 0 303 160 A (NITTEL GMBH & CO KG) 15 February 1989 (1989-02-15) the whole document	1,2,4,5

☐ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents:

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- *G* document member of the same patent family

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. Claims: 1-6

A method of installing a bag into a container ready for receiving an alcohol beverage where the container has an aperture for receiving the bag that has an aperture cross-sectional area smaller than the bulk of the bag, the method comprising the steps of: folding the bag into overlapping panels having a bag cross-sectional area able to pass through the aperture and inserting the folded bag through the aperture into the container.

2. Claims: 7-14

A bag suitable for containing an alcohol beverage when placed in a container, the bag comprising: a first panel and a second panel having peripheral edges welded together to form a first seam, each of the first and second panels having an area larger than the cross-sectional area of the container, the first panel having an aperture contained therein, and the first and second panels being moveable apart from each other when the bag is filled to expand bag internal space to approximate the volume of the container; and, an open neck member passing through the aperture of the first panel and welded thereto to form a second seam, said neck member having a passageway for filling the bag with the alcohol beverage.

3. Claims: 15, 16

A cylindrical bag suitable for containing an alcohol beverage when placed in a keg, the bag comprising: two circular panels having peripheral edges welded to a cylindrical side panel to form the bag with three seams, the bag being expandable to approximate the volume of the keg, and the first panel having an aperture therein positioned off-center from its center; and, an open neck member passing through the aperture of the first panel and welded thereto to form a fourth seam, said neck providing a passageway for filling the bag.

The common technical features between group of inventions 1 (claims 1-6), group of inventions 2 (claims 7-14) and group of inventions 3 (claims 15,16) are "a bag suitable for containing an alcohol beverage when placed in a container or keg, said bag expandable to approximate the volume of the container".

Such a bag is known in the prior art, see for example DE4401719 in the search report.

Unity of invention between several inventions or groups of inventions exists only if the inventions comprise at least one of the the same or

corresponding special technical features as defined in PCT Rule 13.2.

The special technical features are,

group of inventions 1: a method which comprises the folding of the bag into overlapping panels so as to provide it with a cross-sectional area which allows it to pass through the aperture of the container.

group of inventions 2: a bag suitable for containing an alcohol beverage when placed in a container, comprising a first panel and a second panel having peripheral edges welded together to form a seam, each of the first and second panels having an area larger than the cross-sectional area of the container and having an aperture on one of said panels, for welding a neck member thereto.

group of inventions 3: a cylindrical bag suitable for containing an alcohol beverage when placed in a keg, the bag comprising two circular panels having peripheral edges welded to a cylindrical side panel to form the bag and an aperture on said circular panels for welding a neck member thereto, which is off-center from the centerline of the bag.

It is obvious that the potential special technical features are neither the same nor corresponding and that there is no common inventive technical relationship between them as required by Rule 13.2 PCT.

Furthermore the special technical features solve entirely different problems. The problem solved by the invention according to group 1 is to install a bag into a container and be ready for receiving an alcohol beverage. The problem to be solved the invention according to group 2 is to provide a bag with a reduced number of seams compared to a cylindrical bag. The problem to be solved the invention according to group 3 is to provide a cylindrical bag which has reduced stresses on the seams due to the fact that the neck is positioned off center from the container center.

Since the special technical features of group of inventions 1 (claims 1-6), group of inventions 2 (claims 7-14) and group of inventions 3 (claims 15, 16) are different and solve different technical problems, therefore they cannot be considered the same or corresponding special technical features as required by Rule 13.2 PCT. Consequently this application does not fulfill the requirements for unity of invention.

Patent Family Annex

Information on patent family members

International Application No

PCT/IB 03/05398

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
DE 4401719	A	28-07-1994	NL 9300165 A DE 4401719 A1	16-08-1994 28-07-1994
GB 2146611	A	24-04-1985	NONE	
EP 0303160	A	15-02-1989	DE 3725828 A1 AT 72647 T DE 3868455 D1 EP 0303160 A2	16-02-1989 15-03-1992 26-03-1992 15-02-1989